

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CRESTA CAPITAL STRATEGIES, LLC,

Plaintiff,

v.

APPROVED CASH ADVANCE CENTERS, LLC,

Defendant.

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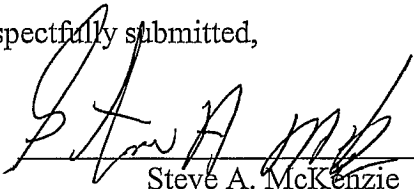
AFFIDAVIT OF STEVE A. MCKENZIE

Steve A. McKenzie, being duly sworn, deposes and states:

1. I was the principal member, a director and the Chief Manager of Approved Cash Advance Centers, LLC ("ACA") until it was sold on December 3, 2007.
2. I expected Greg Steele to attend the settlement conference on June 30, 2008. Greg Steele underwent surgery on June 20, 2008 for a procedure that was not thought to prevent him from attending the conference. Unfortunately, on June 27, 2008, he had to be readmitted to the hospital for additional surgery that not only rendered him medically incapable of representing ACA but perhaps also mentally incapable. Since then, he has undergone a third surgery on July 21, 2008. The medical reversal that he suffered on June 27 was not foreseen, and until that time, I had expected him to recover in time for the settlement conference. However, when it became apparent that he would not be able to attend and in order not to delay scheduling by attorneys and the Court, John R. Anderson, a long-standing officer of ACA, was to appear on behalf of ACA.

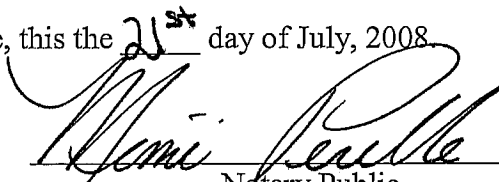
Respectfully submitted,

By:


Steve A. McKenzie

STATE OF TENNESEE)
COUNTY OF HAMILTON)

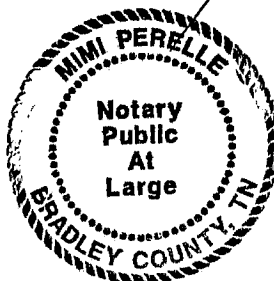
Sworn to and subscribed before me, this the 21st day of July, 2008.



Notary Public

My Commission Expires:

4-24-12



s/William T. Alt

Bar No. 001587

Attorney for Defendant

Approved Cash Advance Centers, LLC

300 Forest Avenue

Chattanooga, Tennessee 37405

Phone: (423) 756-7560

Fax: (423) 756-0975

E-mail address: w.alt@att.net

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 23, 2008, I electronically filed the foregoing Affidavit of Steve A. McKenzie with the United States District Court, Southern District of New York by using the CM/ECF system which will send a notice of electronic filing to the following: Westerman Ball Ederer Miller & Sharfstein, LLP, Jeffrey A. Miller, Esquire, 170 Old Country Road, Suite 400, Mineola, New York 11501. I further certify that I mailed the foregoing Affidavit of Steve A. McKenzie document by First-Class mail to the following:

Westerman Ball Ederer Miller
& Sharfstein, LLP
Jeffrey A. Miller, Esq.
170 Old Country Road, Suite 400
Mineola, New York 11501